

**WASHINGTON STATE HUMAN RIGHTS COMMISSION  
MEETING OF  
April 24-25, 2003  
Doubletree Hotel  
Pasco, WA  
  
MINUTES**

**THURSDAY, APRIL 24**

**ATTENDANCE**

**Commissioners:** Rudy Vasquez, Chair; Charlotte Coker; Ellis Casson; Dallas Barnes; and J. Reiko Callner.

**Staff:** Susan (Sue) J. Jordan, Executive Director; Dariush (D.K.) Khaleghi, Deputy Director; Tanya Calahan, Commission Clerk; Sharon Ortiz, Operations Manager; Christina Mendoza, Office Assistant Senior; S. Juanita Soto and Michael Tovar, Equal Opportunity Compliance Investigators; and Susan Carlson, Assistant Attorney General.

**Guests:** James Parks, Yakima Chapter of NAACP, Elba Ramos, United Farm Workers Union, Ana Luz Salazar, Cesar Martinez, Pedro Eliosa, Rogelio Cardenas, German Cardenas, Antonio Alcara, Julian Parra, Juan Garcia, Juan Angelo, Martin Vargas, G. Vargas, Avelino Baraucas, Esmerita Perales, Ramona Perales, Yesenia Hernandez, Rafael Narango, G. Hernandez. Others were present but did not sign in.

*(Audio tape one – side one of one)*

**OPENING AND WELCOME**

Commissioner Vasquez called the meeting to order at 7 p.m. Commissioners, staff, and audience members introduced themselves to one another.

Commissioner Vasquez provided background information regarding the farm worker forum. The forum took place in Yakima on October 24, 2002 and was well attended. A report regarding the forum was prepared. The report is available in English and Spanish and is on the Commission's website.

Commissioner Callner added that the farm worker forum report was generated to attempt to report faithfully what it was that the Commission heard from the farm worker community and what issues were raised at the October 24, 2002 forum. The Commission shared the report with the WA State Department of Labor and Industries.

### **YAKIMA COUNTY CHAPTER OF NAACP**

James Parks gave a report about the activities of the Yakima Chapter of NAACP.

He commented about the kinds of complaints received by the Yakima branch of NAACP. Complaints include allegations of discrimination in employment, schools, and housing, and landlord/tenant issues.

He shared his thoughts about the need for the Commission to be more visible in the Yakima community. He suggested that more forums to educate individuals about their rights take place. Mr. Parks is the manager of the local Southeast community center. Several forums are held at the center. He invited the Commission to participate in the forums to educate individuals about their rights under the law.

Commissioner Casson inquired about the make up of the Yakima Branch. The standing committees consist of public affairs, Labor & Industries liaison, and voter empowerment, education. Edna Pitman is the state conference president and is a member of the Yakima branch. Current active membership of the Yakima branch of NAACP is 120. Total membership is about 275. Individuals do not have to be members to receive assistance.

Commissioner Vasquez suggested that he and Commissioner Barnes explore tentative dates to team with the Yakima NAACP branch on a community forum. The forum would include participation by Commission staff. He suggested that the community provide input regarding priorities and a long term strategy so the community can continue to access resources after a forum.

### **FARM WORKER FORUM REPORT**

Elba Ramos spoke on behalf of the United Farm Workers Union (UFW) and its members. She reported that the UFW is working with Director of the WA State Department of Labor and Industries (L & I) Paul Trause on farm worker issues. Many workers traveled to Olympia recently to discuss problems facing farm workers. They are trying to work with L & I to better "the system." She expressed concern about slow progress and the existence of problems facing farm workers. UFW is receiving assistance from an attorney with injured worker claims and other farm worker issues.

Many farm workers spoke regarding their status as injured workers and their personal experiences with the L & I claims process and their specific injuries. They commented about challenges accessing L & I services, retaliation for reporting unsafe working conditions and filing claims, and the need for more bilingual staff at L & I, and other problems. Some individuals reported success with their L & I claims after hiring an attorney to assist them.

Discussion ensued regarding the toll free number at L & I to check the status of claims. Several individuals expressed concern about the complicated menu system. Some hang up out of frustration.

Commissioner Callner inquired whether or not UFW has been in touch with Jose Rodriguez, the Spanish Language Services Manager at L & I. She suggested that key individuals in the farm worker community assist Mr. Rodriguez by providing feedback from farm workers and assisting with outreach to farm workers.

Commissioner Barnes extended an invitation to the public to further discuss issues raised during the meeting. He offered to report back to the other Commissioners in greater detail what the concerns of individuals in the Tri Cities and Yakima areas are.

Elba Ramos invited the Commissioners and those attending the meeting to attend a reunion in Pasco on May 3, 2003. Members of the union and farm workers with L & I claims will attend.

*(Audio tape one side two)*

Ms. Ramos also extended an invitation to the Commission to attend farm worker events on May 2 and 4, 2003.

More individuals commented about their personal experiences as injured farm workers. There was discussion about doctors that provide treatment to injured workers. They are paid less than other doctors.

The Commission will distribute the farm worker forum report and the audio tape of the April 24, 2003 community forum to the Commission on Hispanic Affairs and local Yakima legislators with a cover memo from Commissioner Vasquez.

There being no further business, the meeting adjourned at 9:00 p.m.

Respectfully submitted,

Tanya Y. Calahan  
Commission Clerk

**FRIDAY, APRIL 25, 2003**

**ATTENDANCE**

**Commissioners:** Rudy Vasquez, Chair, Charlotte Coker, Ellis Casson, Dallas Barnes, and J. Reiko Callner. A quorum was present.

**Staff:** Susan (Sue) J. Jordan, Executive Director, Dariush (D.K.) Khaleghi, Deputy Director, Sharon Ortiz, Operations Manager, Tanya Calahan, Commission Clerk, Susan Carlson and Stewart Johnston, Assistant Attorneys General.

**Guests:** There were no guests present.

*(Audio tape one - side one of two)*

**OPENING AND WELCOME**

Commissioner Vasquez called the meeting to order at 9 a.m.

**APPROVAL OF MINUTES**

The Commissioners discussed the March 27-28, 2003 minutes. Commissioner Coker made a motion that the Commission postpone approval of the March 27-28, 2003 minutes. Commission Clerk Tanya Calahan will review the audio tapes of the meeting and correct the audio tape references in the minutes and verify whether or not a motion regarding postponing agency reorganization made by Commissioner Callner passed.

Executive Director Sue Jordan reviewed the follow up items from the March 27-28, 2003 Commission meeting.

The Commissioners discussed ways to further disseminate the report. The Commissioners requested that the report be sent via campus mail to legislators beyond the local Yakima area. Commissioner Vasquez suggested that the Commission follow up with a memo reminding the legislators that the report was mailed previously and then directs them to the Commission's web site for an electronic copy of the report.

The Commissioners discussed hiring a consultant to conduct an assessment of the agency. Commissioner Vasquez contacted the Washington State Department of Personnel for ideas regarding consultants. Commissioner Barnes will take the lead to get further ideas regarding consultants.

Commissioner Callner commented about the sexual orientation bill and the draft letter to the Governor that she circulated. Commission Clerk Tanya Calahan will finalize the letter of support of the bill to the Governor and obtain signatures of the Commissioners prior to mailing it.

### **APPROVAL OF CASE CLOSURES**

Commissioner Callner commented about concerns raised by a consumer regarding his case. Although it was withdrawn, he complained about the agency. She suggested a feedback loop that can be used when consumers complain for the benefit of improving agency services and providing support to investigators if a complaint is filed against them. Deputy Director D.K. Khaleghi will provide input on this issue during his agency update.

In the case of Criswell v. Service Alternatives, Commissioner Callner requested that staff correct the typographical error in item number six.

Commissioner Barnes commented about the four cases filed against the WA State Lottery Commission. He completed his review and recommended that the Commission move forward and approve the no reasonable cause recommendations for these cases.

Commissioner Coker pointed out that in the case of Paula Williams v. Homestreet Bank, item number 13 should read "respondent shared" instead of "complainant shared." Staff will correct this error.

Commissioner Callner then made a motion to approve the case list for the period of March 22- April 18, 2003 with corrections to the noted typographical errors. Commissioner Barnes seconded the motion. MOTION CARRIED.

### **EXECUTIVE DIRECTORS REPORT**

Executive Director Sue Jordan commented about agency activities.

She mentioned about a HUD grant that the City of Seattle received to investigate predatory lending cases.

Ms. Jordan talked about equity in education and the need for the Commission to decide how involved it wants to be in this issue. Ms. Jordan is handling equity in education activities for the agency in the interim. Program Manager Cheryl Strobert will be the main agency contact. She will provide input to the Commissioners regarding areas that need the Commission's attention.

Commissioner Barnes suggested that the Commission stay involved with Equity in Education in light of recent Supreme Court cases involving education.

Commissioner Vasquez suggested that Program Manager Cheryl Strobert develop a work plan or a concept that describes how the Commission should approach equity in education. Commissioner Casson requested that the Commission put equity in education in the forefront.

Ms. Jordan shared she wants to appoint Idolina Reta to the position of Special Assistant to the Executive Director. She will handle customer service issues, strategic planning and quality improvement. She asked the Commissioners for input.

Commissioner Coker suggested that the Commissioners defer this decision until after Mr. Khaleghi's presentation regarding the agency's budget and performance. Commissioner Casson also suggested that hiring be put aside until staff justifies hiring for positions in light of budget cuts.

Commissioner Callner expressed thanks to staff for working on the farm worker forum report. Commissioner Vasquez will send a memo of thanks to staff that worked on the farm worker forum.

Commissioner Casson suggested that the Commission visit fields, farms, and farm worker housing during their next visit to Yakima. He also suggested that the Commission visit the community more. Commissioner Vasquez suggested that visits take place before the next Yakima meeting. He shared that he will be in Pasco and other areas of Eastern Washington. Commissioner Barnes expressed that he is also available to increase the Commission's presence in Eastern Washington.

The Commissioners discussed the upcoming May 2003 meeting in Bellingham. The Commission intends to visit the Ferndale School District as requested by members of Ferndale Diversity Coalition.

Discussion ensued regarding the Commission's budget. Commissioner Casson requested additional information regarding the Commission's budget for Commission meetings. Staff will provide additional budget information to the Commissioners.

#### **AGENCY UPDATE AND PERFORMANCE**

Operations Manager Sharon Ortiz gave an update about several housing discrimination cases. Two involve attempts to block farm worker housing in the City of Pasco. She spoke about housing cases filed out of Spokane. One involves Northwest Fair Housing Alliance v. Rock Creek Apartments. Testing was done in this case that supports familial status discrimination.

*(Audio tape one – side two)*

Deputy Director Dariush Khaleghi highlighted his Powerpoint presentation regarding the agency. He highlighted data in terms of agency's performance including agency operations, budget data, agency improvements, reorganization and realignment, and information technology status.

Mr. Khaleghi explained a current three tiered management reporting structure that includes the Executive Director, Deputy Director, and Operations Managers. There are no longer district managers and a field service manager. Commissioner Casson requested that Mr. Khaleghi show the Commissioners in the reporting structure .

He explained that the Executive Assistant position was converted into a human resources position. The Deputy Director no longer has an assistant. The Administrative Assistant position for the Deputy Director was reallocated to an Administrative Services Manager position. Tasks such as human resources, accounting and contract management were centralized.

Commissioner Casson asked about the Clerk's position and where is it in the organizational structure. He suggested that Mr. Khaleghi show the Clerk position in the structure of the agency.

The Commissioners discussed the Clerk position and its duties. They talked about clarifying the Clerk's duties and possibly changing the title to better define what the Clerk does. Assistant Attorney General Susan Carlson noted that the title "Clerk" is referenced in the agency's Washington Administrative Codes (WACs) but the Commission could utilize the rule making process to change the title.

*(Back up tape one- side one of one)*

Discussion ensued regarding the Special Assistant to the Executive Director position that Idolina Reta will occupy. The position will focus on quality improvement and customer service.

The Commissioners discussed staff hiring decisions and whether it is the Commission's role to approve hiring decisions beyond the Executive Director. The Commission does not currently approve all staff hiring decisions. They also discussed that management should keep the Commission apprised about changes made within the organization.

*(Continuation of tape one side two)*

Mr. Khaleghi continued his presentation. He highlighted data including the cost of maintaining an office, cost of a case per office, quality of cases, case production, customer complaints, information technology, and budget.

He explained new strategies that staff will implement to improve the quality of cases and improve customer service. Staff will utilize customer surveys and collect data to improve the agency's service delivery. Staff will also evaluate customer satisfaction with the investigation process. There is currently no systematic way to respond to customer complaints and no consistent feedback loop to the investigators when complaints are received from complainants and respondents.

## **EXECUTIVE SESSION**

*(Audio tape 2 side one)*

Commissioner Vasquez announced that the Commissioners will go into Executive Session to evaluate a complaint against a staff member. The session is scheduled to end at 2:30 p.m.

The regular meeting reconvened at 2:30 p.m. Commissioner Vasquez announced that the Commissioners have had the opportunity to evaluate information regarding a complaint against a staff member. He opened the floor for discussion among the Commissioners.

Commissioner Callner made a motion that the Commission find on the narrow issue of whether there was a violation of the sexual harassment policy that no violation found. But, there were enough substantial concerns about the behavior of the executive director with regard to management that remedial steps must be taken.

Commissioner Coker made a motion that Commissioner Callner divide her motion so the issues can be separated. Commissioner Barnes seconded the motion. MOTION CARRIED.

Commissioner Callner made a motion that as a technical legal issue the Commission find that the sexual harassment policy was not violated. Commissioner Casson seconded the motion. MOTION CARRIED.

Commissioner Coker made a motion that the Commission require the executive director to attend leadership training and in addition, she is directed to draft a letter of apology and send it to the complainant. Commissioner Casson seconded the motion. MOTION CARRIED.

The Commissioners discussed bridging the two previous motions. Commissioner Barnes then made a motion that the Commission find that during the course of the investigation other issues of concern were found and the commission directs that the executive director attend leadership training to address those issues of concern. Commissioner Casson seconded the motion. MOTION CARRIED.

Their being no further business, the meeting adjourned at 3:53 p.m.

Respectfully submitted,

Tanya Y. Calahan  
Commission Clerk



**ACTION ITEMS**  
**APRIL 24-25, 2003 COMMISSON MEETING**

1. **Item:** Commission Clerk Tanya Calahan will review the March 27-28, 2003 minutes and correct the audio tape references and verify whether Commissioner Callner's motion regarding agency reorganization passed.

**Status:** Ms. Calahan reviewed the tapes and corrected the audio tape references. Review of the tapes revealed that the motion in question failed.
2. **Item:** Send a copy of the English and Spanish farm worker forum report to members of the legislature.

**Status:** Copies were made and will be mailed out by June 3, 2003. A cover memo from Commissioner Vasquez will go to local Yakima legislators by June 3, 2003.
3. **Item:** Commission Clerk Tanya Calahan will finalize the letter of support to the Governor regarding the sexual orientation bill and obtain signatures of the Commissioners.

**Status:** The letter will be mailed by June 3, 2003.